

II. REMARKS

Preliminary Remarks

Upon entry of this amendment, independent claim 6 will be at issue. Claim 1 is canceled and claim 6 is amended to a support material for an electrocatalyst in fuel cells comprising a furnace carbon black having, *inter alia*, a hydrogen content of greater than 4200 ppm. Support for the claim amendments can be found in the specification as filed (see, for example, page 2, lines 26-27). The applicants believe that no new matter has been added.

The applicants request entry of the foregoing amendment pursuant to 37 C.F.R. §1.116 in that, should the examiner maintain the final rejection, the amendment to the claims will place the application in better form for appeal. This amendment is filed within the shortened statutory period for response. Therefore, the applicants believe that no fee is due. The applicants respectfully request reconsideration and allowance of the present application.

Patentability Remarks

Rejection under 35 U.S.C. §102/103 –

Claim 1 was rejected under 35 U.S.C. §102(e), as allegedly being anticipated by, or under 35 U.S.C. §103(a), as allegedly being obvious over, Gerspacher (U.S. Pat. No. 6,277,350). This claim is canceled rendering the rejection moot.

Rejection under 35 U.S.C. §103 –

Claim 6 was rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Gerspacher in view of Rositani *et al.* (*Carbon* 25, 325 – 332, 1987). The applicants traverse in view of the preceding amendments and succeeding remarks.

As amended, claim 6 is directed to a support material for an electrocatalyst in fuel cells comprising a furnace carbon black having a hydrogen content of greater than 4200 ppm and a peak integral ratio of less than 1.22. Neither Gerspacher nor Rositani *et al.* disclose an electrocatalyst in fuel cells. Therefore, the combination Gerspacher and Rositani *et al.* do not teach or suggest all the limitations of claim 6. The applicants respectfully submit that claim 6 is not unpatentable over Gerspacher in view of Rositani *et al.* and respectfully request withdrawal of this rejection.

III. CONCLUSION

The applicants respectfully submit that this application is in condition for allowance and request a timely notice to that effect. The examiner is invited to contact the undersigned should any questions relating to patentability remain.

Respectfully submitted,
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